IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

MONDAY, THE 26TH FEBRUARY 2007 / 7TH PHALGUNA 1928

WP(C).No. 5043 of 2007(A)

PETITIONER:

K.I. PAULOSE, S/O.ITTIYERAH,
KACHAPPILLY HOUSE, PUTHUSSERIKADAVU,
KUPPADITHARA VILLAGE, VYTHIRI TALUK,
WAYANAD DISTRICT.

BY ADV. SRI.P.JACOB VARGHESE,
SRI.V.MANOJ KUMAR,
SRI.VIVEK VARGHESE P.J.

RESPONDENTS:
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1. **VILLAGE OFFICER, KUPPADITHARA VILLAGE.**
2. **TAHSILDAR, VYTHIRI TALUK.**
3. **ASST.ENVIRONMENTAL ENGINEER,**
   POLLUTION CONTROL BOARD,
   KALPETTA, WAYANAD DISTRICT.
4. **DISTRICT COLLECTOR,**
   WAYANAD DISTRICT.

BY ADV. SRI. M.K. CHANDRAMOHAN DAS FOR R3,
GOVT. PLEADER SRI. I.V. PRAMOD FOR R1, R2 & R4.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 26/02/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

THOTTATHIL B.RADHAKRISHNAN, J

W.P(C).No.5043 OF 2007

Dated this the 26th day of February, 2007

JUDGMENT

Having regard to the contents of Ext.P13, this writ petition is disposed of without entering on merits, however, directing that Ext.P14 shall be taken up, considered and disposed of by the second respondent, if necessary after ensuring that appropriate instructions issued by the third respondent are duly complied with. Let this be done within a period of two weeks from the date of receipt of a copy of this judgment.

2. Learned counsel for the Pollution Control Board submits that the application for consent to operate the unit is also pending. Let that application also be decided upon within a period of 10 days from the date of receipt of a copy of this judgment.

3. If the decisions are adverse to the interest of the petitioner,

the reasons thereof shall also be stated since the petitioner would have efficacious statutory remedies.

The writ petition is disposed of as above.

THOTTATHIL B.RADHAKRISHNAN
Judge

kkb.